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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

**LAWRENCE JAMES SACCATO,**

Plaintiff Pro Se,

Case No. 6:10-cv-06244-AA

v.

**DAVIS LAW FIRM,**

DEFENDANT U.S. BANK'S  
MOTION FOR SUMMARY JUDGMENT

Defendant,

**U.S. BANK NATIONAL ASSOCIATION**  
N.D., Co-Defendant.

**DOES 1 THROUGH 10.**

Defendant U.S. Bank National Association N.D. ("U.S. Bank") hereby moves for summary judgment in its favor on all of plaintiff's claims against it on the grounds that there is no genuine issue of material fact and defendant is entitled to judgment as a matter of law. Fed. R. Civ. P. 56. Pursuant to LR 7-1, the undersigned certifies that counsel for defendant has made a good faith effort to resolve this dispute with *pro se* plaintiff, but has been unable to do so.

In support of this motion, defendant relies on its Memorandum in Support of Motion for

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Summary Judgment, and the Declaration of Christopher J. Kayser, filed herewith.

Dated: November 7, 2011.

LARKINS VACURA LLP

/s/ Christopher J. Kayser

Christopher J. Kayser OSB #984244

Joseph D. Mueller, OSB #111780

Attorneys for U.S. Bank National Association

## **CERTIFICATE OF SERVICE**

I am over the age of 18 and am not a party to the within action. I am employed in Multnomah County, State of Oregon, and my business address is 621 SW Morrison St., Suite 1450, Portland, Oregon 97205.

On November 7, 2011, I served the following document(s):

### **DEFENDANT U.S. BANK'S MOTION FOR SUMMARY JUDGMENT**

on the party or parties listed on the following page(s) in the following manner(s):

- BY HAND DELIVERY:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be delivered by messenger to the street address(es) indicated on the attached service list.
- BY FEDERAL EXPRESS:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be delivered by Federal Express to the street address(es) indicated on the attached service list.
- BY FIRST-CLASS MAIL:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be deposited in the United States mail at Portland, Oregon, with first-class postage thereon fully prepaid and addressed to the street address(es) indicated on the attached service list.
- BY FACSIMILE:** For each party, I caused a copy of the document(s) to be sent by facsimile to the facsimile number(s) indicated on the attached service list. If this action is pending in Oregon state court, then printed confirmation of receipt of the facsimile generated by the transmitting machine is attached hereto.
- BY E-MAIL:** For each party, I caused a copy of the document(s) to be sent by electronic mail to the e-mail address(es) indicated on the attached service list. If this action is pending in Oregon state court, then I received confirmation that the e-mail was received.
- BY ECF:** For each party, I caused a copy of the document(s) to be sent by electronic mail via ECF to the e-mail address(es) indicated on the attached service list.

I declare under penalty of perjury under the laws of the State of Oregon that the foregoing is true and correct.

/s/Christopher J. Kayser

Christopher J. Kayser

Lawrence James Saccato  
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Roseburg Oregon 97470